

1 Michael K. Brown (SBN 104252)
2 Thomas J. Yoo (SBN 175118)
REED SMITH LLP
3 355 South Grand Avenue, Suite 2900
4 Los Angeles, CA 90071
Telephone: 213.457.8000
Facsimile: 213.457.8080
Email: mkbrown@reedsmith.com
tyoo@reedsmith.com

6 Steven J. Boranian (SBN 174183)
7 Amanda Murray (SBN 223829)
REED SMITH LLP
8 Two Embarcadero Center, Suite 2000
9 San Francisco, CA 94111-3922
Telephone: 415.543.8700
Facsimile: 415.391.8269
Email: sboranian@reedsmith.com
amurray@reedsmith.com

11 Attorneys for Defendants
Merck & Co., Inc.

REED SMITH LLP

A limited liability partnership formed in the State of Delaware

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

16 KATHERINE KLOVERSTROM,
17 Plaintiff,
18 vs.
19 MERCK & CO. INC., et al.
20 Defendants.
21

No.: 3:06-cv-07163-PJH

22 STIPULATION AND PROPOSED ORDER
23 STAYING PROCEEDINGS PENDING
24 TRANSFER TO VIOXX MDL NO. 1657

25 Honorable Phyllis J. Hamilton

26
27
28

1 TO THE CLERK OF THE COURT OF THE UNITED STATES DISTRICT COURT FOR
2 THE NORTHERN DISTRICT OF CALIFORNIA, PLAINTIFF AND DEFENDANTS, THROUGH
3 THEIR ATTORNEYS, FILE THIS STIPULATION AND PROPOSED ORDER.

4
5 This case, *Katherine Kloverstrom v. Merck & Co., Inc., et al.* Case Number 3:06-cv-07163-
6 PJH, was filed in state court on September 26, 2006 and removed to this Court on November 20,
7 2006. No discovery has been conducted or scheduled.

8
9 On November 21, 2006, Merck, pursuant to Rule 7.5(c) of the Rules of Procedure of the
10 Judicial Panel on Multidistrict Litigation ("R.P.J.P.M.L."), provided notice to the MDL Panel of the
11 pendency of this "tag-along" action and furnished the MDL Panel with a copy of the docket sheet
12 and complaint. Merck requested that the MDL Panel transfer this action to the multidistrict litigation
13 known as *In re Vioxx Products Liability Litigation*, MDL No. 1657, currently pending in the Eastern
14 District of Louisiana, District Judge Eldon Fallon presiding. Merck expects the JPML to issue a
15 conditional transfer order that includes this case in the next few weeks.

16
17 Plaintiff does not oppose the transfer of this case to the Vioxx MDL.

18
19 In light of the pending transfer of this case to the Vioxx MDL, the parties respectfully
20 request that all proceedings be stayed so as to allow the JPML to rule on transfer of this tag along
21 action.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28

1 SO STIPULATED.

2

3 Dated: January 9, 2007.

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

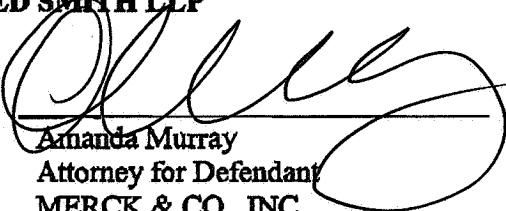
25

26

27

28

REED SMITH LLP

By: 

Amanda Murray
Attorney for Defendant
MERCK & CO., INC.

Dated: January 8, 2007.

LIEFF, CABRASER, HEIMANN &
BERNSTEIN LLP

By: 

Todd A. Walburg
Attorney for Plaintiff

REED SMITH LLP
A limited liability partnership formed in the State of Delaware

1

[PROPOSED] ORDER

2

PURSUANT TO STIPULATION, IT IS SO ORDERED that the above terms of this
3
Stipulation are approved by this Court.

4

Dated: 1/10/07

5

6

7

8

9

DOCSSFO-12464140.1

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

